Return Is Safe.

WILL NOT GIVE

HEAVY RAIN HITS

WELL, I GUESS

LAST LONG.

EL PASO AT NIGHT

steady and not in the cloudburst form

Rains Swell Small Streams,

but There Were No

Washouts.

and caused trouble at the bridges and

At the Texas and Pacific offices, heavy rains were reported between El Paso and Sierra Blanca, but that there was no trouble to the road.

CULVERT IS WASHED OUT

be a good year for corn.

There were no washouts on

ON THE COUNTY ROAD

THE G. H. RAILWAY

HIGH WATER ALONG

and listened to the

Wealth of Information Being Unearthed Concerning Police Graft in New York.

ONE OFFICIAL SAVED A MILLION DOLLARS

New York, N. Y., Aug. 14.-In the mearch for evidence to convict the murderers of the gambler, Herman Rosenthal, the state's attorney and the grand jury have uncarthed a wealth of information showing that gamblers and keepers of disorderly ouses paid sums aggregating hundred of thousands of deliars yearly for police pro-

The monthly tariffs paid to the police vary. First class uptown gambling houses paid \$1000; a middle class gambling houses paid \$1000; a middle class gambling houses paid anywhere from \$100 to \$400; high that pool rooms, \$600; poker and dice games paid \$500. Uptown disorderly houses paid \$600. While east side resorts paid \$100. With the cooperation of all the banks in the city district attorney Whitman has been able to obtain the names of four police inspectors whose bank accounts run into several hundred thousands. One inspector is said to have accumulated a million dullars. Hecker Had Money in Outside Easks.

The district attorney has received in-

The district attorney has received in-formation that Bocker may have put money in several banks outside the city, and if these are located. New York bankers have promised to use their influence to secure the records for Mr. Whitman

for Mr. Whitman
Police Officials Rich.
The district attorney is holding for presentation to the grand jury evidence by which he expects to claylet four police inspectors on the charge of collecting blackmail from gambling houses and disorderly resorts. Thus far the states investigating have unpresent bank accounts of two of them. covered bank accounts of two of them, totaling \$75,000. The prosecutor expects to unearth bank accounts of all

pects to unearth bank accounts of all four of them which are expected to disclose some surprisingly large fortunes, in one case an accomulation of nearly \$1,000,000.

Rose a Good Witness.

The expected murder indictments by the grand jury were not handed down yesterday owing to the time taken up by the testiment of various witnesses. by the testimony of various witnesses who appeared before that body. One of these was Jack Rose, who

that Jack Sullivan, the former King of the new boys," played in the murder plot. He said the night of the murder sullivan, after riding around town with Becker, went to "Bridgie" Webber's gambling house, where the crew gathered, and then to the hotel Metarstee with directions to find out

Becker gave them of protection after

Schepps Belug Held Under Cover. Hot Springs, Ark, Aug. 14.—While it is practically certain that Sam Schepps held as a witness in the Rosenthal nursler case, is not far from the ustness district here, yet he has not been

DEMOCRATS HAVING

STEAM ROLLER WORKING REGULARLY

When he shouted: "Are you the emissaries of the liquor traffic?" he bit a tender spot and there were cries of "Put him off." He delied anyone to put him off, when E. T. Bishop, of the liarris county delegates, started for the speaker. Thomas grabbed him by the

dent Taft and senators Catron and made at Chicago by which Romero's

FIGHT ON ROMERO FOR

STORMY CONVENTION

Will Veto Appropriation Bill Says Roosevelt Knew of Harif It Provides For Abolishing a Court.

VETOES THE STEEL TARIFF MEASURE

Washington, D. C., Aug. 14.-President Taft today vetoed the tariff reduction bill on steel and said to congress that he would also veto the legislative, executive and judicial appropriation bill carrying riders to abolish the commerce court and limit tenure of office of civil service employes to seven years. By doing so, the president would hold up his own salary, that of every member of congress and every employe of the United States court. Sepculation of the possibilities of passing the bill over his veto are being discussed and leaders are canvassing the house and senate.

Passes Over Veto.

Within three hours after president Taft had sent the steel bill back to congress with a message of disap? proval, the bouse passed it over his veto. The vote was 173 to pass it, 83 against it and one present and not voting. It is not expected to repass the senate. gress that he would also veto the

As soon as the president's veto mess-As soon as the presidents veto meas-age of the steel bil had been read, the house Democrats began an attempt to repass it over the executive's dis-approval. The Republican leaders en-tered upon a determined fight against the plan and a long debate-was pre-

cipitated.

Speaker Clark ruled that the question of considering immediately the president's veto was a question of the highest constitutional privilege and therefore displaced all other business before the house. Minority lead r Mann appealed from the decision of the chair, but lost by an overwhelming vote.

Majority leader Underwood proposed a plan that provided one hour's debate, to be equally divided, at the expiration of which a vote of passing the bill over the president's veto was to be taken.

The Steel Veto.

The Steel Vets.

The Steel Vets.

In a message to congress vetoing the steel bill, the president said he disapproved the measure because it provided for revenue only and took no account of protection to American industries. He condemned the ways and means committee for refusing public hearings on the bill. His veto was expected.

Mr. Taft gave as another reason for

this schedule was presented to me a spear ago in the extra session of this congress," wrote the president. "Many increases and decreases of rates are amendment to that effect. gathered, and then to the hotel Metropole with directions to find out whether Rosenthal was dining at the hotel. This Sullivan did, Rose said, and reported to the men where their intended victim could be found.

Webber, who was a witness, testified that this was his understanding of Sullivan's duty, but said that he could not swear that the former newsbay had performed it. Both Rose and Webber told of the essurances which they said Becker maye them of protection after.

willing to approve of the legislation of this kind, which virtually affects not only millions of working men and families dependent on them, but hun-dreds of millions of dollars' worth of stocks of goods in the hands of store-

Hot Springs, Ark., Aug. 14.—While it is practically certain that Sam Schepps held as a witness in the Rosential murder case, is not far from the sustainess district here, yet be has not been seen by newspaper men since his removal from a downtown hotel last night. The return of Schepps to the custody of postmaster Johnson was merely for precaution.

No representative, either of the district attorney's office or the police department of New York, have arrived. Mr. Whitman's representatives are expected today.

riman Contribution; Promised to Help Depew.

BLISS MIGHT HAVE TOLD WHITE LIES"

Washington, D. C., Aug. 14.-Former tovernor Benjamin B. Odell, of New York, told the senate committee, inves-Sheldon, that members of the commit- with. tee asked Mr. Odell how he accounted for the variances.

The former governor remarked that Cornelius N. Bliss, treasurer of the Republican national committee in 1904, might have "told some white lies," to Mr. Sheldon about it. Sheldon was associated with Bliss unofficially in 1904 and was treasurer in 1908.

The substance of Mr. Odell's testimony was that president Roosevelt asked Mr. Harriman in 1904 to come to the white house to talk about campaign funds. Following that talk, said Mr. Odell, Mr. Harriman raised \$250,-000 for the campaign and turned it over to the Republican national committee. Mr. Odell said he had received \$200,-000 of that contribution for the New York state campaign, and the balance remained in the nands of the national committee.

Agreed to Send Depew to France.

Mr. Odell said that Mr. Harriman had told him Col. Roosevelt had agreed, if necessary, he would help out in the New York senatorial situation by appointing senator Chauncey M. Depew ambassador to France, thus leaving the senatorial contest clear for Frank S. Black, former governor of New Yor.

Mr. Sheldon had testuicd that the contribution had been arranged between Mr. Bliss and Mr. Harriman and that Col. Roosevelt never knew about it until a long time after election. He denied that it had been a subject of correspondence between the former president and Mr. Harriman.

Mr. Sheldon had further testified that Mr. Odell had come to Mr. Bliss to see about raising money for the state campaign, and that later Mr. Harriman and Mr. Bliss got together about \$250,000 which was handed over to the state committee and never went to the national committee. Agreed to Send Depew to France.

Nearly \$9,000,000 Duc. It is believed that the house will

Nearly \$9,000,000 is now due to pensioners.

The pension bureau today faced the gleatest financial crisis in its history as the result of the lack of funds to pay pensioners. The San Francisco agency has a balance of exactly sever cents and Detroit only four cents. Reports from all the agencies received at the bureau told the same story of no money for the veterans and their dependents on the nation's pension list This condition is due to the delay of Longress in passing the pension appropriation bill.

Veterans Are Suffering,

The veterans dependent upon pensions, who are feeling the pinch of poverty because the pension office is "broke" are not alone in their dilemms. Practically all the regulars at army posts in the United States have received

posts in the United States have received no pay since June 1.

This extraordinary situation was caused by the delay in passing the general deficiency bill. The regular army appropriation had been exhausted in May and the war department was depending on the deficiency bill for more woner.

July payments really are available under the resciution of July 1, which extended has year's appropriations for another month but disbursement of that was held up in the paymaster's office with the expectation that con-gress soon would pass the regular

Paymaster general Smith, however Paymaster general Smith, however, said he would disburse some of the mohey available if the deficiency bill was not enacted this week.

The army is yet to acted upon in the senate and later will go to the conference with the house.

Senate Passes Postoffice Bill.

San Antonio. Tex., Aug. 24.—The steam roller is strictly in evidence in the Democratic state convention and stormler scenes at a similar gathering have not been witnessed in years.

The storm broke shortly after bishop Mouzon had offered an invocation for peace and harmony, for the convention had proceeded only us far as the selection of temporary chairman when pandemonium broke loose.

When Cullen F. Thomas of Dallas, a staunch Ramseyite, arose to place 0. When Cullen F. Thomas, of Dallas, a staunch Ramseyite, arose to place O. S. Lattimore in nomination for temporary chairman, the hissing, jeering and cut calls were so loud that his coice was completely drowned out by the noise of the steam roller and not suly that, but he was threatened with personal volence.

When he shouted: "Aro were convention today is engaged in Planks dealing with the liquor question are the points of contention, chief among these being the plank for a daylight saloon, in which the prosumt to make the closing hour S.p. m., while the Colquitt forces are holding out for 3:30.

May Inject Balley Issue.

Former congression. The annual postoffice appropriation passed the senate last night at the end of two days of sharp fighting over pro-visions relating to the parcels post, good roads improvement and the affilation of postal employes with labor or-

intion of postal employes with labor or-ganizations.

As if goes back to the house it con-tains some restrictions upon the right of postal employes to join outside or-ganizations; and an entirely new sys-tem of parcels post based on the "zone plan" with varying rates for varying distincts. listances

Will Go Into Conference.

The measure will go into conference with many important differences to be settled. The house provided that no employe of the postal service should be subject to reduction or removed for joining an organization having for its object improvements in conditions of STORM PUTS TROLLEY labor or compensation.

After a fight involving the right of As the result of the s

PIGHT ON ROMERO FOR

NEW MEXICO MARSHAL

Object improvements in conditions of labor or compensation.

After a fight involving the right of government employes to strike, the senate approved this in part, but provided that employes should not join an organization "which imposes an obligation or duty to strike or to assist in a strike against the United States."

Washington, D. C., Aug. 14.—Presiph is nomination resulted from a deal made at Chicago by which Romero's rath, of New Mexico, were indignant of the instructed for Roose-fall, of New Mexico, were indignant.

Object improvements in conditions of labor or compensation.

After a fight involving the right of government employes should not join an organization "which imposes an obligation or duty to strike or to assist in a strike against the United States."

Under the terms of the bill, as it is at 3229 Rivers atrect. The sade within a block of his residence, which is at 3229 Rivers atrect. The sade with and seeing the trolley wire down Wednesday morning, he said be thought the right to appeal to congress for redress of grievances.

Particular in the result of the storm Tuesday wight the trolley wire in the 3000 block on Rivers atreet was down Wednesday morning, according to C. R. Brownlie in the city halth department. Mr. Brownlie strike against the United States."

Under the terms of the bill, as it is at 3229 Rivers atreet. The sade within a block of his residence, which is at 3229 Rivers atreet. The sade within a block of his residence, which is at 3229 Rivers atreet. The sade within a block of his residence, which is at 3229 Rivers atreet. The sade within a block of his residence, which is at 3229 Rivers atreet. The sade within a block of his residence, which is at 3229 Rivers at 3229 Rive

right to appeal to congress for redress of grievances.

Fall, of New Mexico, were indignant today ever charges coming from representative Ferguson and the Democrats of that state that the nomination of Secundino Romero as United States markal for New Mexico to succeed Creighton M. Foraker, a brother of former senator Foraker, of Ohio, was made as a result of a political deal involving the delegates to the Chicago convention.

Representative Curry, former governor of New Mexico, long an ardent to Roosevelt man, is also mixed in the fight that it going on over confirmation of the nomination, but is not out in the open so far as known.

The charges, briefly, are that Romero ta dent twice refused to appoint, and that

Continued on Page Four.

Will Wait on Border Until Recommend Many Innova Such Time as They Believe tions For Improving the Service of the Courts.

AMERICAN BAR IS UP THEIR HOMES NOW IN SESSION

Milwaukee, Wis., Aug. 14.-Many re-Mormon colonists will not desert forms, designed in the main to facilitheir homes in northern Mexico, but will remain on the border until such tate court procedure, by doing away figating campaign funds, a story of time as they believe it safe to return, with parts of the legal machinery that Edward H. Harriman's \$240,000 contri- and will then go back and begin all now only serve as obstacles, are advo-bution of 1304, so different from that over, with what the rebels and the eated in the reports of the various told to the committee by George R. looters have left for them to begin committees of the American Bar association, submitted to that body which A resolution was passed by the n.a- is now in annual convention in this city.

A resolution was passed by the n.ajority in the conference now in session
here that the Mormons return to the
various colonles in Mexico as soon as
conditions are safe. A great deal of
time was consumed in hearing reports
from the various colonies, O. P. Brown,
business agent, stating that some of
the Mormons were in favor of quitting
Mexico for all time to come, while the
majority prefer to return to their
farms in Mexico when quiet is restored.

Conference Still Busy. The question of compensation for in-dustrial accidents, which is perhaps of more far reaching importance than any other subject now receiving the atten-tion of the Bar association, is dealt with at considerable length by the committee appointed in 1910 to co-operate with the National Civic Fed-eration in this work

farms in Mexico when quiet is restored.

Conference Still Busy.

Pians to have enough men guard each colony until the return of all the men and also the question of when is the proper time to return to the republic are still up for consideration before the council adjourns.

It is reported that the Mormons during this conference will perfect plans for making claims on the Mexican government for their lorses. Further concessions in the way of farming lands in the state of Chihuahua, it is said, will be asked, but business agent Brown stated Wednesday afternoon that the question of damages had not yet 1 a considered by the conference.

Colonists Held for Ransom.

Ira Pratt and Leon Pratt, two col-Recommends Infform Laws. Recommends Inform Laws.

The committee, after reviewing the laws adopted and proposed, finds much yet to be desired and recommends the enactment of uniform laws by all the states and by the United States, based on the following principles:

1. It should be compulsory and exclusive of other remedies for injuries sustained in course of industrial employment.

sustained in course of industrial employment.

2. It should apply to all industrial
operations or at least to all industrial
organizations above a certain limit of
size.

3. It should apply to all accidents
occurring in the course of industrial
operations regardless of the fault of
anyone, self inflicted injusies not being counted as accidents.

considered by the conference.

Colonists Held for Ransom.

Ira Pratt and Leon Pratt, two colonists from Colonia Dublan, were arrested in Junrez Wednesday morning and are being held for 100 pessos ransom each, according to a statement given out at the Mormon headquarters. A brother of the imprisoned men and others from the Dublan colony crossed the river to investigate. The Pratt brothers are said to have gone to Junrez to look after their livestock, which is in the Mexico city.

There was no record of the arrest of the two men at the Junrez isil and the officers said there that they knew nothing of it, but that it was possible, if the men were in any trouble, that it was with the rebel customs officials, who had probably demanded \$100 bond for each of the men's horses, to instructive the return to Mexico.

The Disgressar.

It developed at the conference that they the rebels ordered the surrender.

who appeared before that body.

One of these was Jack Rose, who held the jury spellbound when he repeated in an oratorical flow of excellent English the confession of his vato that the bill affected not only the iron and steel industry, but 50 allied industries, which, he said, were worth separate classification.

In the marder plot and his alleged graft relations with Functionant Becker. Rose told the jury spellbound when he repeated in an oratorical flow of excellent English the confession of his part in the marder plot and his alleged graft relations with Functional Committee and never went to the state campian, and find later Mr. Harriman and for each of the men's horses, to insure the reduction of the loustry, but 50 allied industries, which, he said, were worth separate classification.

Mr. Taft gave as another reason for his vato that the bill affected not only the iron and steel industry, but 50 allied industries, which, he said, were worth separate classification.

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Mr. Bilss got tegether about \$1250,000 which was handed over to the state campended for the state campended in the fact of the iron and steel industries, which, he said, were worth separate classification.

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Mr. Bilss got tegether about \$1250,000 which was handed over to the state campended for committee appointed in the street constitute appointed in the street classification.

The Disarrasa.

It dereloped at the conference that with the suntence classification.

The bouse of the burn photomy veterans in need, within gunsho of the town, but considered the surreless of the grant to the stre brought into Dublan for the use of public entertainments, has been shipped to Ciedad Juarez.

Louters Caught in Hachita.

The head looter in Colonia Dublan has been recognized in Hachita and grested. When they called for proof, one of the Union Mercantile clerks said the thief was then wearing a Union Mercantile hat and that it bad a certain sign on the incide. The inscription was found upon examination.

(Continued on page four)

HEAVY RAIN HITS

trivial technical error not affecting the merits of the case, and the bill in reference to writs of error in constitutional cases, providing that a litigant may amend his pleadings to conform when the court finds that a suit at law should have been brought at law. A zenate amendment to this latter bill, which is accepted by the committee, provides that where the decision of the higher court of the state is in favor of the clim that a state statute is in violation of the constitution of the United States, a review can be had in the supreme court by certification.

r certiorari.
The committee expresses the opinion that these various bills will go over to the next session of congress, for

It rained and rained Tuesday night, yet the weather man says the fall was only 0.43 of an inch. To many who watched the water Want a Patent Right Court. Want a Patent Right Court.

The committee on patent, trade mark and copyright law severely conlemned the proposal by president Taft that the question of providing a single court of last resort in patent cases be solved by adding the proposed duties and powers of such a court to the functions of the commerce court. It is pointed out that judges who at some time or other specialized in patent law, and yet possess a broad understanding of general law, are needed. To this and listened to the rain, they thought 42 inches would have been nearer, all of which shows that it takes a real weather man to tell just how much water is falling.

The rain came on of general law, are needed. To this end it is proposed that the court be formed of five federal judges, the pre-The rain came on just after the people had got home from the concert in the park. It was a real downpour from the beginning and lasted for almost an hour. The streets ran like rivers and water poured down siding judge to be appointed by the president and to hold his term for life, and the others to be designated by the chief justice of the supreme court, each to serve six years. A bill introduced in the present session of congress by William A. Sulzer, of New York, providing for such a court, is endorsed.

Lieus on Realty. from off the mountainside, standing in great puddles in the lowlands, but no damage seems to have been done.

Lieus on Realty. Amendment of the law covering gov-ernment liens on real estate, designed to prevent the hardships now imposed upon innocent purchasers, is recom-mended by a committee appointed to investigate this subject. Section 318s of the revised statutes of the United

of the revised statutes of the United States reads as follows:
"If any person liable to pay any tax neglects or refuses to pay the same after demand, the amount shall be a lien in favor of the United States from the time when the assessment list was received by the collector, except when otherwise provided, until paid, with the interest, penalties and costs that may accrue in addition. High water is reported in places along the line of the G. H. S. A. as a result of the heavy rains of Tucsday night but traffic on the road has not been affected by the water. The greatest trouble was experienced at the towns of Warwick, Haymond and Maxon, all which are west of Sanderson. The water swelled the streams and caused trouble at the bridges and paid, with the interest, penalties and costs that may accrue in addition thereto, upon all properties and rights to property belonging to such person."

This section, the supreme court has held, makes the lien's valid and binding lien even against a bona fide purchaser or encumbrancer in good faith, for value, without knowledge or notice of the existence of such lien.

This notice, not now necessary, the committee makes compulsory in the following words, which are added to section 3186 as an amendment.

"Provided, however, that such a lien shall not take effect as to any most-

"Provided, however, that such a lieu shall not take effect as to any mort-gage or purchaser, without notice thereof, until after notice of such lien shall be filed by the collector in the office of the register or recorder of deeds of the county or counties within which the property subject to such lien shall be situated."

This amendment, the committee reported, has been introduced in the house of representatives.

New Insurance Code.

The committee on insurance law re-

The committee on insurance law reperied that a bill providing for an insurance code for the District of Columbia, where "the insurance laws are said to be the worst in the United States" was not in the process of preparation by the senate committee on the District of Columbia, Attempts to effect the repeal of the national bankruntey act were assailed Flood water from the mountains washed out a culvert in the road a mile north of Canutillo. Tuesday night and the road at that point is impassable. It was reported here Wednerday morning that the Canutillo bridge had been carried away, property damaged and one person injured. This was dealed at Canutillo. Attempts to effect the repeal of the national bankruptcy act were assailed in the report submitted to the axoclation by the committee on countercial law. The committee considers the bankruptcy act a wise measure and urges that every effort be made to keep it on the statute books. The committee commended the Pomerene senate bill thoroughly reforming the system of bills of lading in interstate and foreign commerce.

The committee on law reporting and digesting recommended new compilations or revisions of statutes of all the states and a chessification according to a uniform plan.

ANOTHER HARD RAIN

FALLS AT TUCUMCARI
Tucumcarl, N. M., Aug. 14.—Another
hard rain swent over Tucumcari today, coming from the south. Late
crows were badly in need of rain and
will be benefited greatly. This will
be a good year for corn. to a uniform plan.

Plan of the Rebel Chief Is a Question Which Is Puzzling Many-Salazar Reported in a Number of Places at Once-Does Orozco Intend to Be Captured?-Is Reported that He Will Be Taken Prisoner and Then Given His Liberty.

Two hundred rebel troops were sent, miles or more farther north, two days from Juarez to Gallego by train and 100 others were sent to Guadalupe, down the river, on horseback.

Otherwise perfect peace reigns and no sign is given that there is a revolution in Mexico.

The federals are believed to have worked their way northward to San Pedro, but that they will get into Juarez and gobble up Gen. Orozco and the little body guard which now garrisons

Wires Down: No News.

The wires of the North Western are down and nothing has been heard from any station south of Juarcz since Tuesday night so that nothing can be heard. movements of either force

It was reported Wednesday morning that of the 24 bridges destroyed be-tween Pearson and Guxman, 22 had been repaired by the federals, leaving but two broken culverts between the federals and a clear track into the rebel

little body guard which now garrisons that town, does not seem to worry the big rebel chief.

Col. Alanis is at Guaman with enough rebels to put a stop to any further advance northward by the federal forces under Gens. Rabago and Tolles, say the rebel leaders.

It is feared by some that the rebels may destroy the line of the North Western from Guaman north, but that fear is not entertained by officials of the ratifroad.

Where is Sainar?

Gen. Salazar is said, by officials in charge at rebel headquarters, to be in Colonia Pacheco, but by others to be near Las Palomas, just neroes the line from Columbus, N. M., with 1200 men. Another report has it that he has fled over the line into New Mexico at Palomas. If he is at Las Palomas Gen. Salazar has set a pace in the matter of forced marching which the federals might do well to imitate if they hope to put down the rebellion. He is reported as baving been at Colonia Pacheco Sunday and at Las Palomas, 200

OFFICER FEARS REBEL TROUBLE AT PALOMAS

Maj. Sedgwick Rice, commanding a the border with these men and that they detachment of the Third cavalry, at columbus, N. M., on the border opposite Palomas. Mexico, reports today to Washington, according to a dispatch from there, that he fears an attack from about 1100 rebels concentrated there. He has asked Gen. E. Z. Steever for reinforcements, the dispatch says, but Gen. Steever does not share the major's views of danger, but has been asked by the war department to investigate.

The rebeis have come within the last two days, augmenting the force of 250 men who were there early in the week. There are rumors that Col. Demetric Ponce and Gen. Inex Salazar were at one hand.

IN MANY BATTLES

Mexico City, Mex., Aug. 14.—Government troops have been defeated in a series of encounters with Zapatistas in

series of encounters with Zapatistas in An encounter occurred in a canyon the Tenancingo district of the state of Mexico, a few miles south of Toluca, the state capital, and rebels are in relief of Ixtapam was ambushed, possession of all villages in that dispossession of all villages in that district, according to advices received here.

In their attacks the Zapatistas are credited with displaying a ferocity rarely displayed in Mexican warfare.

At lxtapam, the town taken yesterday, 100 persons including women and chlidren are reported to have been killed

DUKE STRENGTHENS TEXAS IRRIGATION

cers' Club Says He Saw Price Agreement.

SUGAR TRUST CASE

Denver, Colo., Aug. 11.—Thomas A. Duke, formerly secretary of the Wholesale Grocers' club, was the first witness on the stand today in the third day's inquiry by the federal government into the operations of the so-called sugar trust, with a view of bringing about its dissolution.

Mr. Duke who was secretary of the Wholesale Grocers' association in 1911, said he never had in his possession an

Wholesale Grocers' association in 1911, said he never had in his possession an agreement of the wholesale grocers to advance the price of sugar in the sinte, and further said he did not know of one in the association. The agreement to which reference was made, was one which Charles R. Hurd testified Monday did exist, and which stipulated an advance of 20 percent over the market price per sack.

Tully Corroborates Darley.

Taily Corroborates Darley.

State highway commissioner Thomas H. Tulley, formerly of Durango, today in the federal sugar hearing, was called to corroborate the testimony given late yesterday by Ward Durley to the effect that Darley's efforts to promote the building of a sugar plant in Durango had been frustrated by the sugar interests, commonly known as "The sugar trust."

Mr. Tulley testified to having been told recently by L. L. Aitken, of Colorado Springs, why there met on a railway train, that after Mr. Aitken had been in confecence with Charles Bloeticher, now vice president of the Great Western Sugar company, telephone messages had been sent to Durango bankers to put a damper on the proposed sugar plant there because such a plant would be inimical to the business of the sugar interests.

At this juncture, Mr. Tulley of his own motion refused, when pressed to give further details, to testify further, saying that the information he had obtained was given him in confidence one of the government's attorneys in-life last April, gave birth to a son at life last April, gave birth to a son at life last April, gave birth to a son at life last April, gave birth to a son at life last April, gave birth to a son at life last April, gave birth to a son at tained was given him in confidence. One of the government's attorneys, insisting that Mr. Tulley should give all the information he had, a recess was ordered until tomorrow morning to enable Mr. Tulley to consult his attor

new.

Counsel for the government stated, after adjournment of the hearing, that in the event of Mr. Tulley's continued refusal to textify, they would probably certify the fact to the federal district court in New York and ask for a mandatory writ compelling him to disclose whatever information he had relative to the sugar field at Durange.

was smashed.

Secretary of Denver Gro- Attorney General Says It Gives Office Too Long to Directors.

LAW KNOCKED OUT

Austin, Tex., Aug. 1s.-The attorney general's department today, through assistant attorney general S. F. Caldwell, held the irrigation district law of 1905 to be unconstitutional, consequently no irrigation bonds can be approved under this statute.

It is found by assistant attorney gen-eral Caldwell that the act in numerous instances is in conflict with the co. atitution, especially the section relating to the tenure of office for such district. "The tenure of office for the direc-tors of the irrigation district is fixed at four years," declares judge Caldwell. "The constitution of our state fixes the term at two years-article 16, sec-

"This law cannot operate without the directors and it seems clear that the legislature would not have pussed any

Madeline Porce Astor, survivor of the Titanic disaster, in which her husband, the late Col. John Jacob Astor, lost his life last April, gave birth to a son at \$15 oclock this morning. The new arrival has been named John Jacob Astor, after his father. The baby becomes a direct heir to \$3,000,000 of the

Astor fortune.
The attending physicians said mother and son are in good condition.
The fact that its father proved himin the event of Mr. Tulley's continued refusal to tentify, they would probably certify the fact to the federal district court in New York and ask for a mandatory writ compelling him to disclose whatever information he had relative to the sugar fight at Durango.

ARMY OFFICER FALLS FROM AIRSHIP; SAYS HE IS UNHURT.

Stratford, Conn. Aug. 14—Lifeut.
Foulers, who was reconnotitering in an army aeroplane, fell when near Botsford, but he later reported to hendquarters that he was unburt. His machines was smashed.

The fact that its father proved himself a hero in the Titanic disaster by self a hero in the Life for a posthumous callders a few months, that the wife from whom he parted, was his hride of but a few months, that the wife from whom he parted, was his hride of but a few months, that the wife from whom he parted, was his hr

(it should receive that sum.

dent twice refused to appoint, and that | Roozevelt supporter.